IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELALTE SIDE

CONTEMPT PETITION NO.144 OF 2005

Mohammad Kallu Ibrahim Sha. ...Petitioner.

Vs.

Municipal Corporation for Greater Mumbai & Ors. ...Respondents.

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Mr. M. V. Holmagi for the Petitioner.

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CORAM : DR. D.Y. CHANDRACHUD, J.

November 30, 2005.

P.C.:

Inasmuch as the main Suit (BCCC L. C. Suit No.2857 of 2001) is, according to the Petitioner, still pending trial, it cannot be said that the undertaking which was recorded in para 4 of the order of this Court dated 9th November 2001 has been breached. The undertaking was to abide by the final direction that would be given by the Trial Court upon the disposal of the suit. In the circumstances, the Contempt Petition is not maintainable at the present stage and is accordingly dismissed.

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